

REMARKS

The Official Action mailed January 24, 2006, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on August 28, 2003; December 3, 2004; October 17, 2005; and December 9, 2005. A further Information Disclosure Statement is submitted herewith and consideration of this Information Disclosure Statement is respectfully requested.

Claims 2-5, 7, 8, 12, 13, 17, 18, 22, 23, 27, 28, 32, 33 and 36-80 were pending in the present application prior to the above amendment. (Although the Office Action Summary shows that claims 1-80 are pending, the Applicant notes that in the *Amendment* filed on October 17, 2005, claims 1, 6, 9-11, 14-16, 19-21, 24-26, 29-31, 34 and 35 were canceled.) Previously withdrawn claims 2, 7, 12, 17, 22, 27, 32, and 58-73 and dependent claims 44 and 46 have been canceled without prejudice or disclaimer; independent claims 3 and 74 have been amended to better recite the features of the present invention; and dependent claims 8, 38, 39 and 42 have been amended to correct minor typographical and grammatical informalities. The Applicant notes with appreciation the allowance of claims 36-57 (page 7, Paper No. 20060122). Accordingly, claims 3-5, 8, 13, 18, 23, 28, 33, 36-43, 45, 47-57 and 74-80 are now pending in the present application, of which claims 3, 36, 37 and 74 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

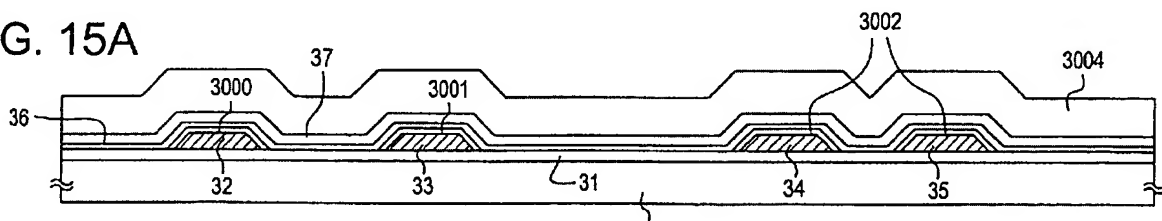
The Official Action rejects claims 3-5, 8, 33, 74, 76 and 80 as anticipated by U.S. Patent Application Publication No. 2001/0049163 to Yamazaki et al. The Applicant respectfully submits that an anticipation rejection cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The Applicant respectfully submits that an anticipation rejection cannot be maintained against the independent claims of the present application, as amended. Specifically, independent claim 3 has been amended to recite that each of first and second semiconductor layers includes a region to become at least a channel region of a thin film transistor. Independent claim 74 has been amended to recite that a semiconductor layer includes a region to become at least a channel region of a thin film transistor. These features are supported in the present specification, for example, at page 8, lines 6-10; and page 31, lines 12-14. For the reasons provided below, the Applicant respectfully submits that Yamazaki '163 does not teach the above-referenced features of the present invention, either explicitly or inherently.

The Official Action asserts that Yamazaki '163 teaches "[f]orming at least first and second semiconductor layers (32/33/34/35) that are divided from each other in an island-like shape over a substrate" (referring to Figures 15A-15D, Figure 15A reproduced below).

FIG. 15A



However, reference characters 32-35 are gate electrodes. Specifically, it appears that reference character 32 denotes a PTFT gate electrode, reference character 33 is an NTFT gate electrode and reference characters 34 and 35 are pixel TFT gate electrodes, as described in paragraphs [0293] and [0262]. The gate electrodes 32-35 of Yamazaki '163 do not constitute a region to become at least a channel region of a thin film transistor.

Since Yamazaki '163 does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are in order and respectfully requested.

The Official Action rejects dependent claims 13, 18, 23, 28, 75 and 77-79 as obvious based on the combination of Yamazaki '163 and U.S. Patent Application Publication No. 2002/0000551 to Yamazaki et al. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.


As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

Please incorporate the arguments above with respect to the deficiencies in Yamazaki '163. Yamazaki '551 does not cure the deficiencies in Yamazaki '163. The Official Action relies on Yamazaki '551 to allegedly teach the features of the dependent

claims (pages 5-6, Paper No. 20060122). However, Yamazaki '163 and '551, either alone or in combination, do not teach or suggest that a semiconductor layer includes a region to become at least a channel region of a thin film transistor in combination with the other features of the independent claims; or that gate electrodes 32-35 of Yamazaki '163 should be replaced with a region to become at least a channel region of a thin film transistor. Since Yamazaki '163 and '551 do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Eric J. Robinson
Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789